



[Billing Code: 6750-01S]

FEDERAL TRADE COMMISSION

16 CFR Part 305

[RIN 3084-AB03]

Energy Labeling Rule

AGENCY: Federal Trade Commission.

ACTION: Final rule.

SUMMARY: The Federal Trade Commission (“Commission”) amends its Energy Labeling Rule (“Rule”) by publishing new ranges of comparability for required labels on central air conditioners, heat pumps, and weatherized furnaces.

DATES: The amendments announced in this document will become effective on January 1, 2015.

FOR FURTHER INFORMATION CONTACT: Hampton Newsome, Attorney, Division of Enforcement, Federal Trade Commission, Washington, D.C. 20580 (202-326-2889).

SUPPLEMENTARY INFORMATION:

I. Background

The Commission issued the Energy Labeling Rule in 1979, 44 FR 66466 (Nov. 19, 1979) pursuant to the Energy Policy and Conservation Act of 1975 (“EPCA”).¹ The Rule covers several categories of major household appliances, including central air conditioners and heat pumps. It requires manufacturers of covered appliances to disclose specific energy consumption or efficiency information (derived from DOE test procedures) at the point-of-sale. In addition,

¹ 42 U.S.C. 6294. EPCA also requires the Department of Energy (“DOE”) to set

each label must include a “range of comparability” indicating the highest and lowest energy consumption or efficiencies for comparable models. The Commission updates these ranges periodically.

II. Range Updates for Central Air Conditioners, Heat Pumps, and Weatherized Furnaces

The Commission is updating the Rule’s ranges of comparability, based on current data, for central air conditioners, heat pumps, and weatherized furnaces, effective January 1, 2015. In a February 6, 2013 Federal Register Notice (78 FR 8362), the Commission issued new EnergyGuide label requirements to help consumers, distributors, contractors, and installers easily determine whether a specific furnace or central air conditioner meets applicable DOE regional efficiency standards. Among other things, these amendments revised labels for central air conditioners, heat pumps, and weatherized furnaces that will be required on January 1, 2015. In the 2013 Notice, the Commission did not publish updated comparability ranges for those products because energy data available at that time would likely become obsolete before the January 1, 2015 date. However, the Commission explained it would publish new ranges for central air conditioners, heat pumps, and weatherized furnaces, when more current data became available before 2015.² That date serves as the effective date for the new FTC labels and the new comparability ranges for these products.

In addition to publishing the new ranges, the Commission is updating the prototype and sample labels in the Rule to reflect these range changes. As discussed in a Federal Register Notice published this year, the Commission plans to address updates for other heating products,

minimum efficiency standards and develop test procedures to measure energy use.

including boilers and non-weatherized furnaces, separately.³

III. Administrative Procedure Act

The amendments published in this Notice involve routine, technical and minor, or conforming changes to the labeling requirements in the Rule. These technical amendments merely provide a routine change to the range and cost information required on EnergyGuide labels. Accordingly, the Commission finds for good cause that public comment for these technical, procedural amendments is impractical and unnecessary (5 U.S.C. 553(b)(A)(B) and (d)).

IV. Regulatory Flexibility Act

The provisions of the Regulatory Flexibility Act relating to a Regulatory Flexibility Act analysis (5 U.S.C. 603-604) are not applicable to this proceeding because the amendments do not impose any new obligations on entities regulated by the Energy Labeling Rule. These technical amendments merely provide a routine change to the range information required on EnergyGuide labels. Thus, the amendments will not have a “significant economic impact on a substantial number of small entities.”⁴ The Commission has concluded, therefore, that a regulatory flexibility analysis is not necessary, and certifies, under Section 605 of the Regulatory Flexibility Act (5 U.S.C. 605(b)), that the amendments announced today will not have a significant economic impact on a substantial number of small entities.

V. Paperwork Reduction Act

The current Rule contains recordkeeping, disclosure, testing, and reporting requirements

² 78 FR at 8365.

³ 79 FR 34642, 34652 (June 18, 2014).

⁴ 5 U.S.C. 605.

that constitute information collection requirements as defined by 5 CFR 1320.3(c), the definitional provision within the Office of Management and Budget (OMB) regulations that implement the Paperwork Reduction Act (PRA). OMB has approved the Rule's existing information collection requirements through May 31, 2017 (OMB Control No. 3084 0069). The amendments now being adopted do not change the substance or frequency of the recordkeeping, disclosure, or reporting requirements and, therefore, do not require further OMB clearance.

List of Subjects in 16 CFR Part 305

Advertising, Energy conservation, Household appliances, Labeling, Reporting and recordkeeping requirements.

For the reasons set out in the preamble of this document, the Federal Trade Commission amends 16 CFR Part 305 as follows:

PART 305—ENERGY AND WATER USE LABELING FOR CONSUMER PRODUCTS UNDER THE ENERGY POLICY AND CONSERVATION ACT (“ENERGY LABELING RULE”)

1. The authority citation for part 305 continues to read as follows:

Authority: 42 U.S.C. 6294.

2. Revise Appendix G1 to Part 305 to read as follows:

Appendix G1 to Part 305 - Furnaces—Gas

Furnace Type	Range of annual fuel utilization efficiencies (AFUEs)	
	Low	High
Non-Weatherized Gas Furnaces Manufactured Before the Compliance Date of DOE Regional Standards – All Capacities	78.0	96.6
Non-Weatherized Gas Furnaces Manufactured After the Compliance Date of DOE Regional Standards – All Capacities	80.0	98.5
Weatherized Gas Furnaces Manufactured – All Capacities	81.0	95.0

3. Revise Appendix G3 to Part 305 to read as follows:

Appendix G3 to Part 305- Furnaces—Oil

Type	Range of annual fuel utilization efficiencies (AFUEs)	
	Low	High
Non-Weatherized Oil Furnaces Manufactured Before the Compliance Date of DOE Regional Standards – All Capacities	78.0	86.1
Non-Weatherized Oil Furnaces Manufactured After the Compliance Date of DOE Regional Standards – All Capacities	83.0	95.4
Weatherized Oil Furnaces – All Capacities	78.0	83.0

4. Revise Appendix H to Part 305 to read as follows:

Appendix H to Part 305 – Cooling Performance for Central Air Conditioners

Manufacturer's rated cooling capacity (Btu's/hr.)	Range of SEER's	
	Low	High
Single Package Units		
Central Air Conditioners (Cooling Only): All capacities	13	20
Heat Pumps (Cooling Function): All capacities	13	18.1
Split System Units		
Central Air Conditioners (Cooling Only): All capacities	13	26
Heat Pumps (Cooling Function): All capacities		

	13	30.5
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5. Revise Appendix I to Part 305 to read as follows:

Appendix I to Part 305 – Heating Performance for Central Air Conditioners

Manufacturer's rated heating capacity (Btu's/hr.)	Range of HSPF's	
	Low	High
Single Package Units Heat Pumps (Heating Function): All capacities	7.7	9.2
Split System Units Heat Pumps (Heating Function): All capacities	7.7	13.5

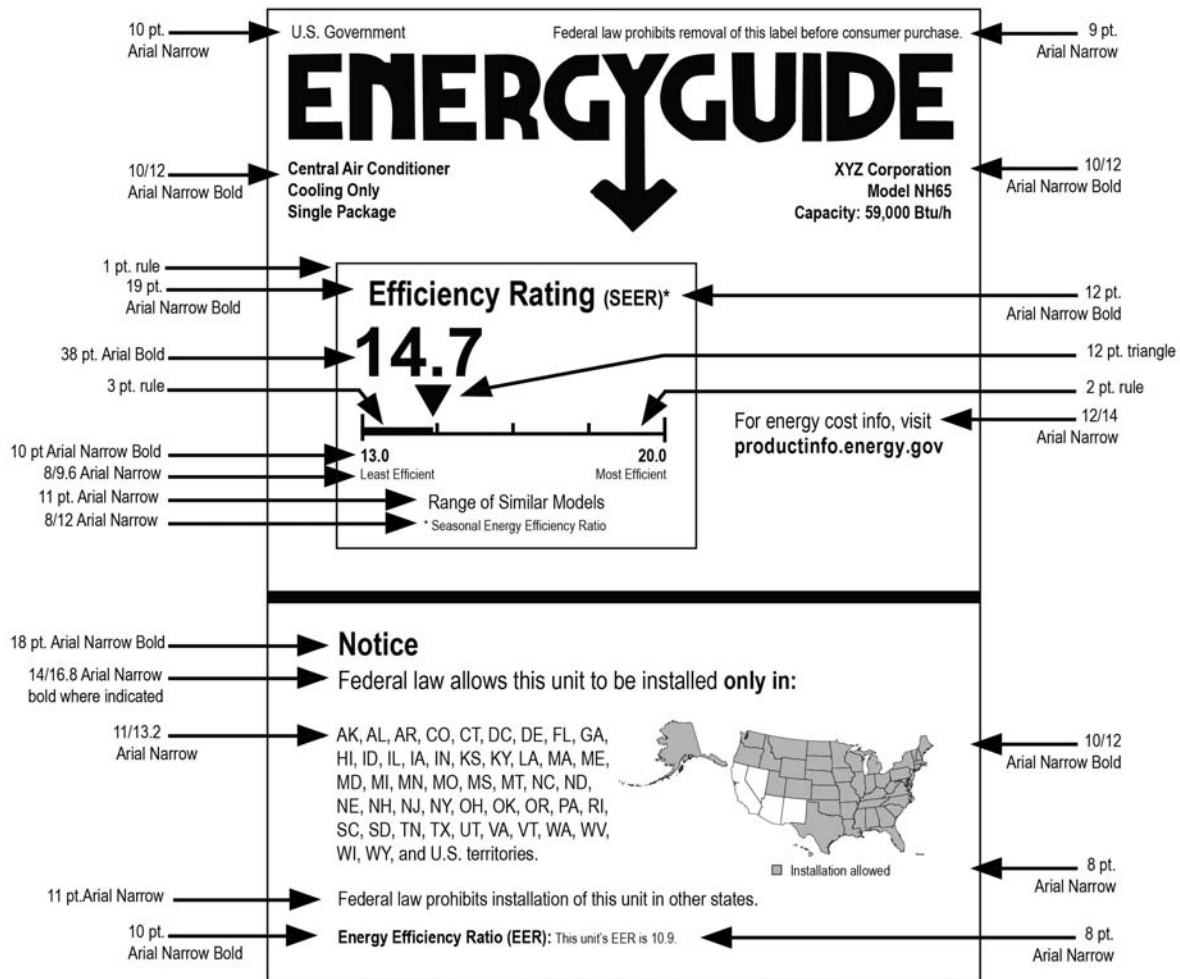
6. Appendix L is amended as follows:

- a. Prototype Labels 3 and 4 are revised.
- b. Sample Label 7 is removed.
- c. Sample Labels 7A and 7B are redesignated as Sample Labels 7 and 7A and revised.
- d. Sample Label 8 is removed.
- e. Sample Label 8A is redesignated as Sample Label 8 and revised.

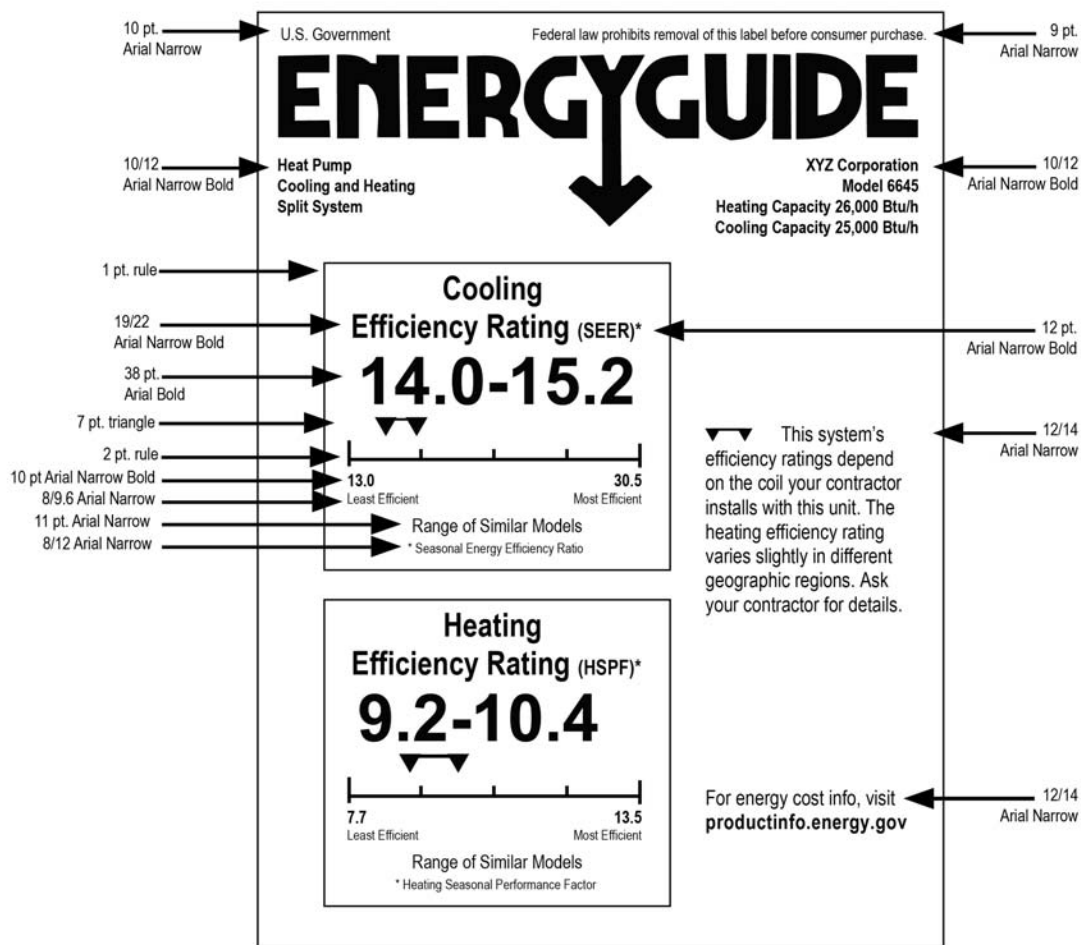
The revisions read as follows:

Appendix L to Part 305 – Sample Labels

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Prototype Label 3 – Single-Package Central Air Conditioner (models manufactured after the compliance date of DOE regional efficiency standards in 10 CFR part 430)



Prototype Label 4 – Split-system Heat Pump (only for units manufactured on or after the compliance date of DOE regional efficiency standards in 10 CFR part 430)

U.S. Government

Federal law prohibits removal of this label before consumer purchase.

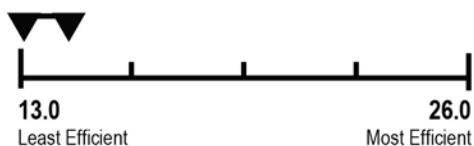
ENERGYGUIDE

Central Air Conditioner
Cooling Only
Split System

XYZ Corporation
Model HC47
Capacity 57,000 Btu/h

Efficiency Rating (SEER)*

13.0-14.2



Range of Similar Models

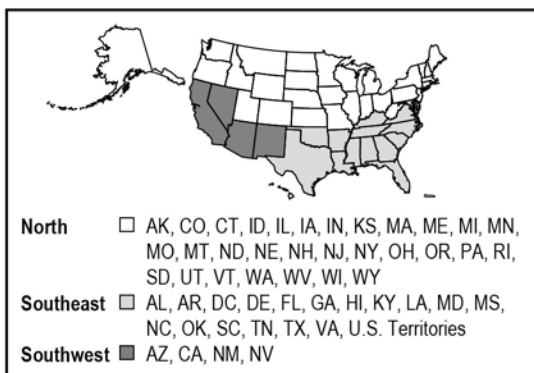
* Seasonal Energy Efficiency Ratio

▼▼ This system's efficiency rating depends on the coil your contractor installs with this unit. Ask for details.

For energy cost info, visit productinfo.energy.gov

Notice

The installed system must meet minimum federal regional efficiency standards. See productinfo.energy.gov for certified coil combinations.



Minimum Standards

	North	Southeast	Southwest
SEER	13	14	14
EER [†]			12.2
EER ^{††}			11.7

[†] Units with rated capacity of less than 45,000 btu/h

^{††} Units with rated capacity equal to or greater than 45,000 btu/h

Energy Efficiency Ratio (EER): could range from 11.4 to 12.5, depending on the coil installed with this unit

Sample Label 7 – Split-system Central Air Conditioner (models manufactured after the compliance date of DOE regional efficiency standards in 10 CFR part 430)

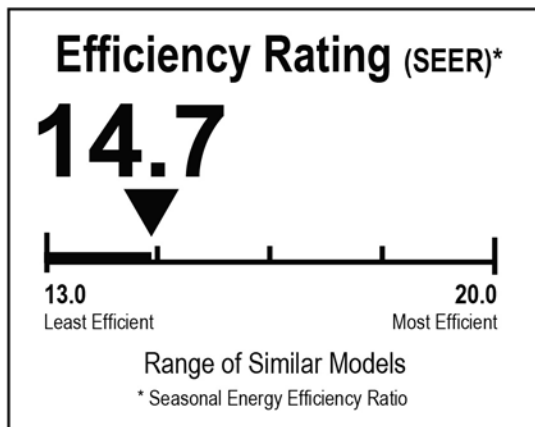
U.S. Government

Federal law prohibits removal of this label before consumer purchase.

ENERGYGUIDE

Central Air Conditioner
Cooling Only
Single Package

XYZ Corporation
Model NH65
Capacity: 59,000 Btu/h



For energy cost info, visit
productinfo.energy.gov

Notice

Federal law allows this unit to be installed **only in:**

AK, AL, AR, CO, CT, DC, DE, FL, GA,
HI, ID, IL, IA, IN, KS, KY, LA, MA, ME,
MD, MI, MN, MO, MS, MT, NC, ND,
NE, NH, NJ, NY, OH, OK, OR, PA, RI,
SC, SD, TN, TX, UT, VA, VT, WA, WV,
WI, WY, and U.S. territories.



Federal law prohibits installation of this unit in other states.

Energy Efficiency Ratio (EER): This unit's EER is 10.9.

Sample Label 7A – Single-package Central Air Conditioner (models manufactured after the compliance date of DOE regional efficiency standards in 10 CFR part 430)

U.S. Government

Federal law prohibits removal of this label before consumer purchase.

ENERGYGUIDE

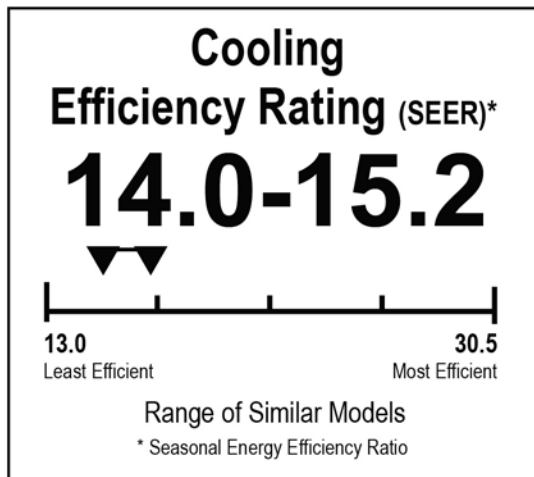
Heat Pump
Cooling and Heating
Split System

XYZ Corporation

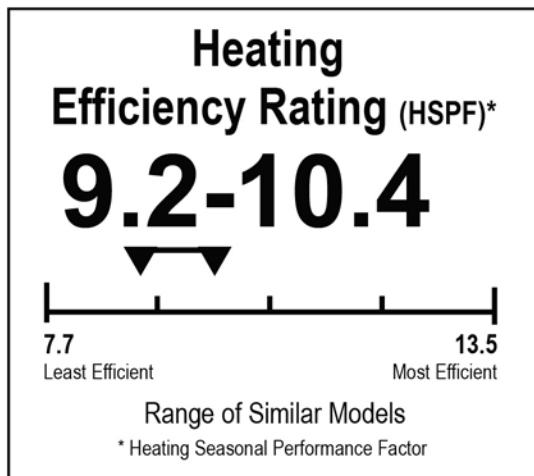
Model 6645

Heating Capacity 26,000 Btu/h

Cooling Capacity 25,000 Btu/h



▼▼ This system's efficiency ratings depend on the coil your contractor installs with this unit. The heating efficiency rating varies slightly in different geographic regions. Ask your contractor for details.



For energy cost info, visit
productinfo.energy.gov

Sample Label 8 – Split-system Heat Pump (only for units manufactured on or after the compliance date of DOE regional efficiency standards in 10 CFR part 430)

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By direction of the Commission.

Donald S. Clark
Secretary.

08/11/2014 at 8:45 am; Publication Date: 08/12/2014]

[FR Doc. 2014-18501 Filed